(c) In the earlier judgement of 1980, the Supreme Cout has laid down that routine handcuffing of undertrial prisoners is violative of articles 14, 19 and 21 of the Constitution. The nature of offence or accusation should not be regarded as a criteria to determine the handcuffling of prisoners. It is only in exceptional circumstances where there is no other reasonable way of preventing the escape of the prisoner that recourse to handcuffing him may be taken. Even in such extreme cases, where handcuffs have to be put on, escorting authority must record contemporaneously the reasons for doing so. These recorded reasons must be shown to the Presiding Judge and his approval should be taken. Once the Court directs that the handcuffs are not to be used, no escorting authority should overrule this direction. Armed escorts and extra guards can take care of exceptional needs. The Supreme Court felt that it was desirable that the custodial authority should inform the Court of the circumstances in which handcuffling has been resorted to and the justification thereof.

Mobilisation of resources

3521. KUMARI SAYEED KHATUN:
SMT. VEENA VERMA:

Will the Minister of FINANCE be pleased to state:

(a) what is Government's reaction to Planning Commissions suggestion for higher share of direct taxes to mobilise resources for the Eighth Plan; and

(b) what is Government reaction to Planning Commission's sukgestion for reduction in effective interest rates on Government borrowings?

THE MINISTER OF STATE IN THE DEPARTMENT OF EXPENDITURE (SHRI B. K. GADHVI): (a) and (b) The suggestions are being considered by the Planning Commission as part of the eighth Plan exercises. These will be taken into account by Government in formulating its policies, during the eighth Plan.

Setting up of a currency paper or currency press mill in Vadodara

3522. SHRI VITHALBHAI M. PATEL: Will the Minister of FINANCE be pleased to state:

(a) whether it is a fact that there was a proposal to set up currency paper or currency press mill in Vadodara in Gujarat:

(b) whether it is also a fact that the Public Investments Board has sanctioned the amount to set up Currency Paper or Currency Press Mill; and

(c) whether any action has been taken to set up currency paper or currency press mill in Gujarat?

THE MINISTER OF STATE IN THE DEPARTMENT OF ECONOMIC AFFAIRS IN THE MINISTRY OF FINANCE (SHRI EDUARDO FALEIRO): (a) to (c) There was a proposal in 1974 for setting up New Security Paper Mill near Vadodara in order to supplement the indigenous production of the Security Paper. After examining various factors involved, it was felt more desirable to modernise the existing Security Paper Mill at Hoshangabad rather establish a New Mill. Accordingly, the Security Paper Mill at Hoshangabad was modernised in 1983 raising its production capacity.

Arrest under the narcotic drugs and psychotropic substances Act

3523. SHRI KRISHNA KUMAR BIRLA: Will the Minister of FINANCE be pleased to state:

(a) what percentage of the total arrests made in the country (arrests of foreigners to be shown separately) ended up in conviction under the Narcotic Drugs and Psychotropic Substances Act since its enactment;

(b) what are the reasons for the low conviction rate under the above Act; and

(c) what according to the analysis, if any, are the shortcomings in the Act/ prooess of investigations or deficiencies in the law enforcing machinery resulting in low conviction rate under the above Act stating the manner in which Government propose to remedy the situation?

THE MINISTER OF STATE IN THE DEPARTMENT OF REVENUE IN THE MINISTRY OF FINANCE (SHRI AJIT PANJA): (a) to (c) Under the Narcotic Drugs and Psychotropic Substances Act, 1985, powers of search, seizure, arrest and conducting of investigations have been vested with a number of Central and State enforcement agencies. While a system of quick reporting on search, seizure, arrest, etc. in the prescribed formats has been devised, reports from some agencies have not been received. As per data available with the Narcotics Control Bureau, out of 11,088 persons prosecuted under the aforesaid Act, (since its enactment), cases have been decided in respect of 1,840 persons, of whom 962 persons have been convicted. The percentage of convicttion works out to 52 per cent (appx.). As all cases where judgements had been pronounced might not have been reported to the Bureau, the percentage of conviction, out of the total number of cases decided, could still be higher. Nevertheless, the court proceedings tend to be protecting and a number of cases pending in the courts are also high. In order to expedite the disposal of pending cases, the State Governments have been advised to set up special courts depending upon the workload.

No shortcomings in the Act, or for the matter, in the investigations, nor deficiencies in the law enforcing machinery under the above Act have been noticed. However, a draft legislation to amend the Act in certain areas to make it more effective is at an advanced stage of finalization.

हरिजन पुलिस स्टेशन

3524. श्री अजीत जोगी : क्या गृह मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या सरकार राज्यों को विशेष हरिजन पुलिस स्टेशनों के लिए अतिरिक्त स्टाफ देने और विभिन्न राज्यों में उन्हें अधिक संसाधन देकर अधिक प्रभावशाली बनाने के लिये कोई विशेष वित्तीय सहायता उपलब्ध करायेगी ;

(ख) यदि हां, तो उन राज्यों के नाम क्या हैं जहां इस उद्देश्य के लिये वित्तीय सहायता दी गई है अथवा दी जाने वाली है और प्रत्येक मामले में सहायता की राशि कितनी है ; और

(ग) केन्द्र सरकार द्वारा अन्य क्या क्या कदम उठाये जा रहें है ? ताकि हरिजन पुलिस स्टेशन अपनी भूमिका अधिक प्रभाव शाली ढंग से निभा सकें ?

कार्मिक, लोक शिकायत और पेंशन मंत्रालय में राज्य मंत्री तथा गृह मंत्रालय में राज्य मंत्री (श्री पी० चिदम्बरम्) :

(क) से (ग) "लोक व्यवस्था" और "पुलिस" के विषय संविधान की सातवीं अनुसूची की राज्य सूची में शामिल हैं। इसलिय अपने पुलिस स्टेशनों के लिये स्टाफ की व्यवस्था करना और विशेष हरिजन पुलिस स्टेशन खोलना राज्य सरकारों का कार्य है । फिर भी, केन्द्रीय सरकार 8वें वित्त आयोग के निर्णय के अधीन नये पुलिस स्टेशन खोलने के लिये राज्य सरकारों को सहायता देती है ।

Date on the arrests of Children

3525. SHRI PAWAN KUMAR BANSAL: Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether the Bureau of Police Research and Development have recently compiled some data about the arrests of children in the country;

(b) if so, what are the salient features of the Bureau, report; and

(c) what steps are proposed to be taken to check the exploitation of children in custody and to provide better conditions in Children's Homes, etc.?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI SONTOSH MOHAN DEV): (a) No, Sir.

(b) Does not arise.

(c) 'Prison' being a State subject it is primarily for the State Governments to take measures to check the exploitation of children in custody and provide better conditions for their well-being. However,